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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,627	05/15/2001	Juhani Murto	4208-4010	8023
27123	7590	08/24/2006	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			HO, THOMAS M	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,627

Applicant(s)

MURTO ET AL.

Examiner

Thomas M. Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply**2**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **2** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-22,25 and 28-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-8,10-22,25 and 28-34 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/19/06, 8/9/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Ex Parte Quayle

1. The RCE of 8/9/06 have been received and entered.

Specification

2. According to the Examiner's records, the Abstract of the specification filed 5/15/01 has been canceled by the Applicant's response to the preformalities notices of 8/16/01. The Examiner has reviewed the notice of 8/16/01, however it appears that only the drawings were resubmitted. No mention of the Abstract was found.

The Applicant is requested to confirm or deny whether the Abstract was canceled out. If so, please submit a new copy of the abstract as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Content of Specification

3. Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

The Brief Description of the drawing is missing references to figures 1K and 1L.

Reasons for Allowance

Art Unit: 2134

4. With reference to the previously allowed claims, the Applicant has noted that the Examiner allowed claims 1, 25, 31, and 33 based on the claim limitation “selective forwarding comprises sorting and filtering the cached files in accordance with preferences of a user of the wireless user device”

In the arguments submitted with the RCE of 8/9/05, the Applicant argued against the combination of Rosen US patent 6014090, “UDDI Technical White paper” and Tauber et al. “Surfing the Internet with Netscape Communicator 4.”

Tauber et al. was previously used to recite the claimed limitation “selective forwarding comprises sorting and filtering the cached files in accordance with preferences of a user of the wireless user device”

Applicant’s previous argument stated that Tauber et al. discloses a local cache. Because of this, the information stored in a local cache would not be forwarded to the user. The Examiner found this reasoning persuasive, as it is a separate system which performs the forwarding of the UDDI results in Applicant’s invention.

It should be noted that the Examiner considered another rejection under 35 USC 103 with regards to this limitation, now added to the previously rejected claims:

“selective forwarding comprises sorting and filtering the cached files in accordance with preferences of a user of the wireless device”

Because the invention of the Applicant is a UDDI registry, the registry receives a query which would forward results to a user. Thus it is obvious that the use of a UDDI registry and/or server who purpose it is to reply to a service discovery request would selectively forward these results based on a user's query. A cache is merely an intermediate form of memory that exists between the processor and Random Access Memory, and is present on all standard home PC systems. That a server, responding to a request to of a user query would first store the results of the query in the cache before forwarding it to the user would be inherent to processing a user request.

The user has applied the phrase “in accordance with preferences of a user” however rather than the phrase “in accordance with the query of a user.” In light of the specification and the other claims, it would appear that the preferences of the user refer to a pre-established set of preferences and is separate from the query itself. This interpretation is further supported by the claim recitations in parallel claim 25, which sorts the documents in accordance with a “user profile”

For this reason, the limitation the Applicant has added to the previously rejected independent claims distinguishes over the prior art and the obvious variation thereof involving a search query response.

For these reasons, all pending claims are allowable.

Conclusion

5. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on **(571)272-3799**.


The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 571-273-8300
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TMH

August 19th, 2006


GILBERTO BARRON JR.
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